UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,277	10/28/2003	Yong Ho Son	007412.00304	3963

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/695,277	SON ET AL.
	Examiner	Art Unit	
	JEAN Duclos SAINT CYR	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 May 2010*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *2-10 and 12-20* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *2-10 and 12-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *28 October 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION
Response to Amendment

This action is in response to applicant's amendment filed on 05/18/2010. Claims 2-10,
12-20 are still pending in the current application. **This action is made NON-FINAL.**

Response to Arguments

Applicant's arguments with respect to claims 2-10 and 12-20 have been considered
but are moot in view of the new ground(s) of rejection.. Applicant argues that Yurt et al
did not disclose receive a video program encrypted in a first form from one
programming source that is located remotely from the remote server. Applicant argues
that the compressed data library is not located remotely and it is a part of transmission
system and applicant argues that Yurt et al did disclose encryption. Finally, applicant
argues that Heer et al did not disclose a remote server configured to process the
decrypted video program to produce a video program in a second form.

However, Matsuzaki et al disclose Pay information providing system for descrambling
information from plural sources and rescrambling the information before sending to a
terminal or terminals, abstract. The server 2 unifies the format of the pay information by
receiving and descrambling the pay information transmitted from each transmitting
station TS so as to allow any terminal to use the pay information, col.13, lines 43-45.
when the pay information is distributed from the server 2 to the terminal 3, it is
preferable to rescramble the pay information using a unique scramble key for each
terminal. The pay information transmitted on the local bus 5 thereby becomes usable
only at a specific terminal, col.13, lines 46-51.

And the server side rescrambles the pay information with the random number and
further encrypts the random number with the encryption key unique to each of the
terminals, and the terminal side decrypts the received encrypted random number with
its own decryption key previously set and further descrambles the rescrambled pay
information with the decrypted random number, col.8, lines 12-18; public encryption key,
col.25, lines 22-27. And fig.1 shows a server that is located remotely from the

transmitting station and that server rescrambles the video to produce a second form before transmitting it to the requested user. As a result, this action is made non-final.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-6, 9-10 and 12-16, 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuzaki et al , US No.6289314.

Re claim 12, Matsuzaki et al disclose an interactive information distribution system comprising: a distribution center comprising a remote server(see fig.1, element 2, server);

the remote server configured to store in storage a video program encrypted in a first encrypted form received from at least one programming source which is located remote from the remote server(the pay information received and descrambled by the server 2 is temporarily recorded in the server 2,colo.13, lines 55-56).

the remote server configured to retrieve the video program encrypted in the first encrypted form from the storage and process the video program encrypted in the first encrypted form responsive to a user request to produce a decrypted video program(The server 2 unifies the format of the pay information by receiving and descrambling the pay information transmitted from each transmitting station TS so as to

allow any terminal to use the pay information, col.13, lines 43-45; a request from the terminal, col.13, line 57);

the remote server configured to process the decrypted video program to produce a video program in a second encrypted form; and the remote server configured to transmit the video program in the second encrypted form to the requesting user(when the pay information is distributed from the server 2 to the terminal 3, it is preferable to rescramble the pay information using a unique scramble key for each terminal. The pay information transmitted on the local bus 5 thereby becomes usable only at a specific terminal, col.13, lines 46-51; rescrambling the information before sending to a terminal or terminals, abstract).

Re claim 2, Matsuzaki et al disclose wherein the remote server is adapted to cause transmission of a decryption key to the requesting user, the decryption key being necessary to decrypt the video program in the second encrypted form(descrambling the rescrambled pay information received from the distributing portion using the decrypted random number, col.8, lines 8-11).

Re claim 3, Matsuzaki et al disclose the video program in the second encrypted form is encrypted according to a public key associated with the requesting user, the public key having an associated with it a private key necessary to decrypt the video program in the second encrypted form(the server side rescrambles the pay information with the random number and further encrypts the random number with the encryption key unique to each of the terminals, and the terminal side decrypts the received encrypted random number with its own decryption key previously set and further descrambles the rescrambled pay information with the decrypted random number, col.8, lines 12-18; public encryption key, col.25, lines 22-27) .

As claim 4, the claimed "the private key having an associated public key necessary to

decrypt the video program in the second encrypted form..." is composed as the same structural elements as previously discussed with respect to the rejection of claim 3.

Re claim 5, Matsuzaki et al disclose wherein the video program in the second encrypted form is encrypted according to a public key, the public key having an associated private key necessary to decrypt the video program in the second encrypted form, the system further comprising: the remote server transmitting the private key to the requesting user(the server side rescrambles the pay information with the random number and further encrypts the random number with the encryption key unique to each of the terminals, col.8, lines 12-15; public encryption key, col.25, line 26) .

Re claim 6, Matsuzaki et al disclose the private key is encrypted prior to transmission to the requesting user(each terminal has the same structure, while a unique identifier is previously given to each terminal, col.16, lines 27-29).

Re claim 9, Matsuzaki et al disclose wherein the remote server is adapted to multiplex the video program in the second encrypted form and other signals to create a multiplexed signal for transmission to the requesting user(The multiplex/transmitting portion multiplexes the encrypted related information and scramble key and the scrambled pay information, and transmits the result as a multiplex signal using the transmission path, col.19, lines 1-5).

Re claim 10, Matsuzaki et al disclose further comprising the at least one programming source wherein the at least one programming source comprises at least one of a television broadcasting source, a premium broadcast source, and a video-on-demand source (on-demand-type pay information providing system of demanding transmission of desired pay information from the receiving station to the transmitting station and transmitting the demanded pay information from the transmitting station to the receiving station, col.31, lines 18-22).

As claim 13, the claimed "the remote server configured to process a video program encrypted in the first encrypted form received from at least one programming source, which is located remote from the remote server, to produce a decrypted video program..." is composed as the same structural elements as previously discussed with respect to the rejection of claim 12.

Re claim 14, Matsuzaki et al disclose wherein the remote server is adapted to cause transmission of a decryption key to the requesting user, the decryption key being necessary to decrypt the video program in the second encrypted form(descrambling the rescrambled pay information received from the distributing portion using the decrypted random number, col.8, lines 8-11).

Re claim 15, Matsuzaki et al disclose the video program in the second encrypted form is encrypted according to a public key associated with the requesting user, the public key having an associated with it a private key necessary to decrypt the video program in the second encrypted form(the server side rescrambles the pay information with the random number and further encrypts the random number with the encryption key unique to each of the terminals, and the terminal side decrypts the received encrypted random number with its own decryption key previously set and further descrambles the rescrambled pay information with the decrypted random number, col.8, lines 12-18; public encryption key, col.25, lines 22-27).

 Re claim 16, Matsuzaki et al disclose the private key is encrypted prior to transmission to the requesting user(each terminal has the same structure, while a unique identifier is previously given to each terminal, col.16, lines 27-29).

Re claim 19, Matsuzaki et al disclose wherein the remote server is adapted to multiplex the video program in the second encrypted form and other signals to create a

multiplexed signal for transmission to the requesting user(The multiplex/transmitting portion multiplexes the encrypted related information and scramble key and the scrambled pay information, and transmits the result as a multiplex signal using the transmission path, col.19, lines 1-5).

Re claim 20, Matsuzaki et al disclose further comprising the at least one programming source wherein the at least one programming source comprises at least one of a television broadcasting source, a premium broadcast source, and a video-on-demand source (on-demand-type pay information providing system of demanding transmission of desired pay information from the receiving station to the transmitting station and transmitting the demanded pay information from the transmitting station to the receiving station, col.31, lines 18-22).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al in view of Heer et al, US No.5999629.

Re claim 7, Matsuzaki et al did not explicitly disclose wherein the remote is adapted to transmit the video program in the second encrypted form to the requesting user via a first communications channel and is adapted to transmit a decryption key to the requesting subscriber via a second communications channel.

However, Heer et al disclose wherein the remote is adapted to transmit the video program in the second encrypted form to the requesting user via a first communications channel and is adapted to transmit a decryption key to the requesting subscriber via a second communications channel(see fig.1, the system uses bus 41 for encrypted video program and bus 61 for sharing key; col.6, lines 17-24).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Heer into the invention of Matsuzaki for the purpose of limiting congestion during transmission.

Re claim 8, Matsuzaki et al did not explicitly disclose wherein the video program in the second encrypted is encrypted according to a Data Encryption Standard "DES".

However, Heer et al disclose wherein the video program in the second encrypted is encrypted according to a Data Encryption Standard "DES"(see fig.5, "DES" processor; DES processor 7 to generate the unique encryption keys, col.9, lines 24-25) .

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Heer into the invention of Matsuzaki for the purpose of allowing the system to use standard encryption technique.

Re claim 17, Matsuzaki et al did not explicitly disclose wherein the remote is adapted to transmit the video program in the second encrypted form to the requesting user via a first communications channel and is adapted to transmit a decryption key to the requesting subscriber via a second communications channel.

However, Heer et al disclose wherein the remote is adapted to transmit the video program in the second encrypted form to the requesting user via a first communications channel and is adapted to transmit a decryption key to the requesting subscriber via a

second communications channel(see fig.1, the system uses bus 41 for encrypted video program and bus 61 for sharing key; col.6, lines 17-24).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Heer into the invention of Yurt for the purpose of limiting congestion during transmission.

Re claim 18, Matsuzaki et al did not explicitly disclose wherein the video program in the second encrypted is encrypted according to a Data Encryption Standard "DES.

However, Heer et al disclose wherein the video program in the second encrypted is encrypted according to a Data Encryption Standard "DES"(see fig.5, "DES" processor; DES processor 7 to generate the unique encryption keys, col.9, lines 24-25) .

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching of Heer into the invention of Matsuzaki for the purpose of allowing the system to use standard encryption technique.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see htpp://pair-direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr /

/Brian T Pendleton/

Supervisory Patent Examiner, Art Unit 2425